

# Notice of Allowability

Application No.

10/809,646

Examiner

Sherry L. Estremsky

Applicant(s)

NITTA, TOMOAKI

Art Unit

3681

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the application filed March 25, 2004.
2. ☒ The allowed claim(s) is/are 1-4.
3. ☒ The drawings filed on 25 March 2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

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|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                     | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.   |

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

To reduce the length of the abstract to 150 words, the application has been amended as follows:

The abstract was replaced with the following:

An input shaft with plural drive gears and an output shaft with plural driven gears engaging the drive gears forms transmission gear trains. An input clutch transmitting power to the input shaft is between an engine and the input shaft, and a bypass clutch transmitting the power to the output shaft is between the input and output shafts. A changing mechanism changes any of the transmission gear trains in a power transmission state, a steering angle detecting means detects a steering angle of a wheel, and an input clutch control means engagement controls the input clutch. The input clutch control means inhibits a shifting operation in a state of disengaging the input clutch, by inhibiting output of a disengagement signal to the input clutch, in the case that the steering angle is more than an allowable value, and a shifting in a state of engaging no bypass clutch is judged.

2. The following is an examiner's statement of reasons for allowance:

No reference nor combination of references was found which teaches a shift control apparatus of an automatic vehicle transmission including an input clutch between an engine and an input shaft and an input clutch control means for outputting a disengagement signal in the

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case that a detected steering angle is less than an allowable value and inhibiting an output of the disengagement signal in the case that the steering angle is more than the allowable value at the time of executing a gear shift operation, the gear shift operation in a state that the input clutch is disengaged being inhibited in the case that the steering angle is more than the allowable value.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### *Conclusion*

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U. S. Patent 4,788,892 (Komoda et al.) December 1988 - discloses a transmission shift control apparatus which inhibits a gear shift operation order when a detected vehicle cornering and vehicle acceleration are equal to or greater than preset values.

U. S. Patent 6,416,440 (Jeon) July 2002 - discloses a transmission shift control apparatus which prevents a transmission up-shift when the steering angle is greater than a reference angle.

JP 63-149451 (Miyazaki) June 1988 - discloses a transmission shift control apparatus which assists a vehicle in making a stable turn without exerting a bad influence on the engine by inhibiting a speed change when a steering angle is greater than a preset angle and the engine speed is less than a preset maximum speed.

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JP 36-149452 (Sugano) June 1988 - discloses a transmission shift control apparatus which prevents a transmission speed change when a steering angle exceeds a preset angle.


JP 5-10424 (Honma) January 1993 - discloses a transmission shift control apparatus which inhibits or permits a transmission speed change based on a comparison of speeds detected at the left and right outputs of a differential, indicating a cornering state.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sherry L. Estremsky whose telephone number is (571) 272-7090. The examiner can normally be reached on Tuesday and Friday from 7:30 a.m. to 6:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Marmor can be reached on (571) 272-7095. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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SHERRY ESTREMSKY  
PRIMARY EXAMINER  
AV3681 7-15-05